

IN RE:	§	Case No. 18-30264-SGJ-11
	§	Case No. 18-30265-SGJ-11
ACIS CAPITAL MANAGEMENT, L.P.,	§	
ACIS CAPITAL MANAGEMENT GP,	§	(Jointly Administered Under
LLC,	§	Case No. 18-30264-SGJ-11)
	§	
DEBTORS.	§	Chapter 11

HIGHLAND CAPITAL MANAGEMENT,	§	
L.P. AND HIGHLAND CLO FUNDING	§	
LTD.,	§	
	§	
PLAINTIFFS,	§	Adversary No. 18-03078-sgj
	§	
v.	§	
	§	(Consolidated with Case No.
ROBIN PHELAN, CHAPTER 11	§	18- 03212-sgj)
TRUSTEE,	§	
	§	
DEFENDANT.	§	

ROBIN PHELAN, CHAPTER 11	§	
TRUSTEE,	§	
	§	
THIRD-PARTY PLAINTIFF,	§	
	§	
v.	§	
	§	
HIGHLAND HCF ADVISOR, LTD.,	§	
HIGHLAND CLO MANAGEMENT, LTD.,	§	
AND HIGHLAND CLO HOLDINGS, LTD.,	§	
	§	
THIRD-PARTY DEFENDANTS.	§	

ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING DEADLINES; AND (III) SETTING STATUS CONFERENCE PURSUANT TO LOCAL BANKRUPTCY RULES 5011-1(A)

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ORDER (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING DEADLINES; AND (III) SETTING STATUS CONFERENCE PURSUANT TO LOCAL BANKRUPTCY RULES 5011-1(A)

This matter coming before the Court in the above-captioned adversary proceedings involving Highland Capital Management, L.P. ("Highland Capital"), Highland CLO Funding, Ltd. ("Highland Funding"), Highland HCF Advisor, Ltd. ("Highland HCF"), Highland CLO Management, Ltd. ("Highland Management"), Highland CLO Holdings, Ltd. ("Highland Holdings"), Acis Capital Management, L.P. ("Acis LP") and Acis Capital Management GP, LLC ("Acis GP"); and the Court determined to consolidate the two adversary proceedings currently before the Court, Adversary No. 18-03078¹ and Adversary No. 19-03103, to set certain agreed deadlines, and to set a status conference pursuant to Local Bankruptcy Rule 5011-1(a); and it appearing that no delay or prejudice would be occasioned by consolidation of the two adversary proceedings; it is therefore

ORDERED that these adversary proceedings (Adversary Nos. 18-03078 and 19-03103) are consolidated pursuant to Rule 42(a) of the Federal Rules of Civil Procedure made applicable herein by Federal Rule of Bankruptcy Procedure 7042. The Clerk of Court is directed to caption the case as *Acis Capital Management, L.P., et al. v. Highland Capital Management, L.P., et al.*; it is further

ORDERED that all filings, pleadings, motions, or other papers after the entry of this Order shall be made in Adversary Case No. 18-03078 (the "Consolidated Adversary"); it is further

¹ Adversary No. 18-03078 was previously subject to consolidation with Adversary No. 18-03212, which included as additional defendants: CLO Holdco, Ltd., Neutra, Ltd., Acis CLO 2014-3 Ltd., Acis CLO 2014-4 Ltd., Acis CLO 2014-5 Ltd., Acis CLO 2015-6 Ltd., Acis CLO 2014-3 LLC, Acis CLO 2014-4 LLC, Acis CLO 2014-5 LLC and

ORDERED that Acis Capital Management, L.P. and Acis Capital Management GP, LLC are the Plaintiffs ("Plaintiffs") in the Consolidated Adversary and Highland Capital Management, L.P., Highland CLO Funding, Ltd., f/k/a Acis Loan Funding, Ltd, Highland HCF Advisor, Ltd., Highland CLO Management, Ltd., Highland CLO Holdings, Ltd., CLO Holdco, Ltd., Neutra, Ltd., Acis CLO 2014-3 Ltd., Acis CLO 2014-4 Ltd., Acis CLO 2014-5 Ltd., Acis CLO 2015-6 Ltd., Acis CLO 2014-3 LLC., Acis CLO 2014-4 LLC, Acis CLO 2014-5 LLC, Acis CLO 2015-6 LLC, are the Defendants ("Defendants" or individually, a "Defendant") in the Consolidated Adversary; it is further

ORDERED that the caption of the Consolidated Adversary is as follows:

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:

**ACIS CAPITAL MANAGEMENT, L.P.,
ACIS CAPITAL MANAGEMENT GP,
LLC,**

DEBTORS



Case No. 18-30264-SGJ-11

Case No. 18-30265-SGJ-11

**(Jointly Administered Under
Case No. 18-30264-SGJ-11)**

Chapter 11

**ACIS CAPITAL MANAGEMENT, L.P.,
ACIS CAPITAL MANAGEMENT GP,
LLC,**

PLAINTIFFS

V.

**HIGHLAND CAPITAL MANAGEMENT,
L.P., HIGHLAND CLO FUNDING, LTD.**



Adversary No. 18-03078

**(Consolidated with Adversary Nos.
18-03212-sgj & 19-03103)**

Acis CLO 2015-6 LLC.

ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING DEADLINES; AND (III) SETTING STATUS CONFERENCE PURSUANT TO LOCAL BANKRUPTCY RULES 5011-1(A)

**F/K/A ACIS LOAN FUNDING, LTD.,
HIGHLAND HCF ADVISOR, LTD.,
HIGHLAND CLO MANAGEMENT, LTD.,
HIGHLAND CLO HOLDINGS, LTD
CLO HOLDCO, LTD., NEUTRA, LTD.,
ACIS CLO 2014-3 LTD., ACIS CLO 2014-4
LTD., ACIS CLO 2014-5 LTD., ACIS CLO
2015-6 LTD., ACIS CLO 2014-3 LLC, ACIS
CLO 2014-4 LLC, ACIS CLO 2014-5 LLC,
AND ACIS CLO 2015-6 LLC,**

DEFENDANTS

ORDERED that the Clerk of Court is directed to administratively close Adversary Case No. 19-03103 (the "Closed Adversary"); it is further

ORDERED that Plaintiffs shall file any amended complaint, answer, or counterclaim(s) (collectively, the "Amended Complaint") on or before **June 20, 2019**; it is further²

ORDERED that the Amended Complaint shall state with particularity the claim(s) and cause(s) of action asserted against each individual party or each of the Defendants; it is further

ORDERED that the Defendants shall answer or otherwise respond to the Amended Complaint on or before **July 22, 2019**; it is further

ORDERED that Plaintiffs shall respond to any motion to dismiss the Amended Complaint filed by any Defendant on or before **August 15, 2019**, unless otherwise agreed to by the parties; it is further

² The foregoing is without prejudice to Plaintiffs' ability to answer or otherwise respond to any claims or causes of action asserted after the entry of this Order.

ORDERED that any reply by any Defendant in support of a motion to dismiss the Amended Complaint shall be filed on or before **August 29, 2019**, unless otherwise agreed to by the parties; it is further

ORDERED that the Defendants shall file any amended motion(s) pursuant to Federal Rule of Bankruptcy Procedure 5011(a) and 28 U.S.C. § 157(d) (collectively, including any motion currently pending in the Consolidated Adversary or the Closed Adversary that requests relief pursuant to Federal Rule of Bankruptcy Procedure 5011(a) and 28 U.S.C. § 157(d), the "Reference Motions") on or before **July 22, 2019**; it is further

ORDERED that Plaintiffs shall file any response(s) to the Reference Motions (the "Reference Responses") on or before **August 12, 2019**; it is further

ORDERED that the Defendants shall file any reply to the Reference Responses on or before **August 26, 2019**; it is further

ORDERED that pursuant to Local Bankruptcy Rule 5011-1(a), a status conference on the Reference Motions is set before the Honorable Stacey G.C. Jernigan on **September 4, 2019, at 2:30 p.m. (Central Standard Time)**, at the United States Bankruptcy Court for the Northern District of Texas, Dallas Division, 1100 Commerce Street, Room 1428 (Courtroom No. 1), Dallas, Texas 75242; it is further

ORDERED that the requirement that party representatives appear at all hearings in the Consolidated Adversary Case or the main bankruptcy case, jointly administered Case No. 18-30264, as further described by ¶ 4 of the *Order Regarding Scheduling for Regular and Expedited Hearing Dates* [Case No. 18-30264, Docket No. 336], is abrogated until further notice by or order of the Court; it is further

ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING DEADLINES; AND (III) SETTING STATUS CONFERENCE PURSUANT TO LOCAL BANKRUPTCY RULES 5011-1(A)

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ORDERED that the *Trustee's Amended Motion for Partial Summary Judgment* [Adversary Case No. 18-03078, Docket No. 88] is abated pending the disposition of the Reference Motions; and it is further

ORDERED that all discovery in the Consolidated Adversary is abated pending the disposition of the Reference Motions.

END OF ORDER

ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING DEADLINES; AND (III) SETTING STATUS CONFERENCE PURSUANT TO LOCAL BANKRUPTCY RULES 5011-1(A)

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**ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING
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RULES 5011-1(A)**

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Agreed as to form:

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**ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING
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RULES 5011-1(A)**

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ORDER: (I) CONSOLIDATING ADVERSARY CASE NOS. 18-03078 & 19-03103; (II) SETTING DEADLINES; AND (III) SETTING STATUS CONFERENCE PURSUANT TO LOCAL BANKRUPTCY RULES 5011-1(A)

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